refusals violate Section 6.1 of the Ohana Associates Handbook ("Standards of Conduct") which prohibits the "failure to follow lawful instructions of a supervisor."

There are countless reasons why a company should have several Global Administrators, whether being tied up in business meetings, vacations, leaves of absence, or other activities that cause a single Global Administrator to be unavailable. Your communication yesterday about your need for FMLA time off, to which you are entitled, makes self-evident the reasons for the company's demand to have several Global Administrators.

Glenn has signed an agreement on behalf of OGP with Hartman Executive Advisors (HEA) and demands that you add Phil Leadore from HEA as a Global Administrator by 3 pm today. We also instruct you to hold off on any major updates or changes to the system until HEA has had a chance to evaluate Ohana's IT systems.

We have evaluated the multitude of reasons for your refusal to obey management's directives. We are not looking to debate these reasons any further, rather we require a simple acknowledgment that you will follow the directive or not and then do so immediately by 3:00 pm today. Failure to acknowledge this directive and to add Phil Leadore as a Global Administrator by 3:00 pm today will require the company to take appropriate action.

Rich Hartman

VP of People and Culture

Ohana Growth Partners, LLC



office 410-252-8058 x114 212 W. Padonia Rd Timonium, MD 21093 www.planetfitness.com

"Culture eats strategy for breakfast"

to any of this.

The facts, which are established in the record that's already before the Court, and I don't think there's any dispute of it is, this concept that the -- a demand was made to, uh, the defendant on June 13th, an hour after he'd asked for -- for FMLA leave, uh, and we're forcing him to work, ignores the fact that he's been asked to do this going to at least May 20th, when he terminated the only -- the only other admin access, uh, for the -- the consultant Ryan Brooks from, erm, Baltimore Consulting.

So this was not the first time he'd been asked, uh, this was multiple times he'd been asked. There's no dispute about that.

So the -- the concept that -- that the question, erm, directive from, erm, various, uh, members of senior management at Ohana to the defendant, uh, is in retaliation for his request on June 13th to take additional leave is completely base less.

MR. DILLON-CAPPS: Hmm, I can respond to all of those with details, and I can provide evidence in --

THE COURT: Sir, I gave you your chance